

1 YOUNG, MINNEY & CORR, LLP  
2 PAUL C. MINNEY, SBN 166989  
3 WILLIAM J. TRINKLE, SBN 102280  
4 JEFFREY L. ANDERSON, SBN 157982  
5 655 University Ave. Suite 150  
6 Sacramento, CA 95825  
7 Telephone: (916) 646-1400  
8 Facsimile: (916) 646-1300  
9 E-mail: wjtrinkle@mycharterlaw.com  
10 janderson@mycharterlaw.com

11 *Attorneys for Respondents and Defendants,*  
12 THE ACCELERATED SCHOOLS

Exempt from Filing Fees  
Gov. Code § 6103

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

ADRIAN RISKIN

Petitioner,

v.

THE ACCELERATED SCHOOLS,

Respondents.

CASE NO.: 19STCP05135

**DECLARATION OF VINCENT SHIH  
IN SUPPORT OF THE  
ACCELERATED SCHOOLS'  
OPPOSITION TO PETITIONER'S  
MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT OF  
WRIT OF MANDAMUS**

*[Assigned to Mary H. Strobel; Dept. 82 for  
all purposes]*

Date: March 23, 2021

Time: 9:30 a.m.

Dept.: 82

Petition and Complaint filed:  
December 3, 2019

1 I, VINCENT SHIH, declare:

2 1. I am the Chief Financial Officer (“CFO”) of The Accelerated Schools (“TAS”), the  
3 Respondent in this action. I am personally familiar with the facts set forth herein, and, if called to do  
4 so, I could competently testify thereto. I make this declaration in support of the Opposition Brief filed  
5 on behalf of TAS to Petitioner ADRIAN RISKIN’s (“Petitioner” or “Riskin”) Memorandum of Points  
6 and Authorities in Support of Petition for Writ of Mandamus (“Petitioner’s MPAs”).

7 2. I began employment at TAS as Accounting Manager in September 2018 and became the  
8 CFO in July 2019.

9 3. The six (6) Public Records Act (“PRA”) requests that are at issue in the Petition herein  
10 (falling on dates between January 19, 2019 and April 6, 2019), constituted a blizzard of requests that  
11 fell on TAS to respond to during a tumultuous time of turnover at TAS regarding employees whose job  
12 it was to receive, review, and respond to PRA requests.

13 4. Prior to and from January 19, 2019, to February 28, 2019, TAS co-founder Johnathan  
14 Williams was the Chief Executive Officer (“CEO”) of TAS. During his tenure as CEO, Mr. Williams  
15 took the laboring oar in responding to document requests to TAS from the public. Grace Lee-Chang  
16 (“Ms. Chang”) served as Interim CEO beginning March 15, 2019. And, on July 1, 2019, Ms. Chang  
17 was appointed CEO of TAS.

18 5. Prior to and from January 19, 2019, to May 17, 2019, Asha Marshall was the Human  
19 Resources Manager at TAS. During her tenure at TAS it was part of Ms. Marshall’s job to do the  
20 initial review of PRA requests and take appropriate steps to respond to them. And TAS did formally  
21 respond to three of Petitioner PRA requests, as is acknowledged in Petitioner’s MPAs, Petitioner’s  
22 Verified Petition for Writ of Mandate (“Petition for Writ”), filed herein on December 3, 2019. (*See*  
23 Exhibits A, B, and C, to Petitioner’s Writ of Mandate.)

24 6. Moreover, as attested below, the six PRA requests by Petitioner to TAS that are at issue  
25 in this litigation were not the only PRA requests receive by TAS from Petitioner during the relevant  
26 timeframe that go unmentioned in Petitioner’s Petition for Writ or in Petitioner’s MPAs. TAS  
27 responded to at least three other PRA Requests in 2018 to 2019 from two other requesters (including a  
28 former TAS employee that resulted in a massive document production)

1           7.       On or about May 1, 2019, right before Ms. Marshall left her employment as Human  
2 Resources Manager at TAS, she provided me with information regarding Plaintiff's multiple Public  
3 Records Act ("PRA") requests and requested my assistance. That was the date that I first became  
4 aware of the PRA requests from Petitioner.

5           8.       In reviewing emails between former TAS CEO Johnathan Williams, Asha Marshall, and  
6 Plaintiff regarding the PRA requests forwarded to me by Ms. Marshall, I discovered that Mr. Williams  
7 had fully responded to at least one prior PRA request from Petitioner that Petitioner does not mention  
8 in this pending legal action, on April 5, 2019. A true and correct copy of TAS's email response dated  
9 April 5, 2019, sent by Mr. Williams, is attached hereto and **Exhibit A** and is incorporated herein by  
10 this reference.

11           9.       Originally, in early April of 2019, (as I learned later from reviewing her emails), Ms.  
12 Marshall mistakenly believed that Petitioners' PRA requests were "spam."

13           10.      Following receipt of Petitioner's six PRA requests between January 19, 2019 and April  
14 6, 2019, former TAS CEO Johnathon Williams and then Ms. Marshall had sought out legal advice  
15 from the law firm of Liebert Cassidy & Whitmore to assist TAS in responding to Plaintiff's PRA  
16 requests and for legal counsel aiding Ms. Marshall in preparing a formal response letter to Petitioner's  
17 PRA request dated March 24, 2019.

18           11.      On April 10, 2019, Ms. Marshall emailed to Petitioner TAS's response letter regarding  
19 the request dated March 24, 2019, telling him that TAS was only aware as of April 10, 2019 that his  
20 requests were made pursuant to the PRA (when he expressly mentioned the PRA). A true and correct  
21 copy of TAS's Response to PRA Request dated March 24, 2019/April 10, 2019, is attached hereto as  
22 **Exhibit B**, and is incorporated herein by this reference.

23           12.      Petitioner responded to Ms. Marshall's initial response on April 11, 2019, by thanking  
24 her for "finally realizing that my CPRA request was a CPRA request" and thanking her "for your  
25 ultimate realization!" A true and correct copy of Petitioner's email to Ms. Marshall dated April 11,  
26 2019, is attached hereto and **Exhibit C** and is incorporated herein by this reference.

27           13.      Thereafter, Ms. Marshall continued email discussions with legal counsel at the law firm  
28 of Liebert Cassidy & Whitmore, regarding further action required to properly respond to Petitioner's

1 PRA requests.

2 14. On or about May 30, 2019, former CEO Johnathon Williams emailed Plaintiff to tell him  
3 that Mr. Williams had not “had access to campus” and that Ms. Marshall no longer worked at TAS. A  
4 true and correct copy of Mr. Williams’ emails to Petitioner dated May 30, 2019 is attached hereto and  
5 **Exhibit D** and is incorporated herein by this reference. Petitioner replied in an email to Mr. Williams  
6 on May 30, 2019, berating him for being “disorganized” and not following the law. A true and correct  
7 copy of Petitioner’s email to Mr. Williams on May 30, 2019 is attached hereto and **Exhibit E** and is  
8 incorporated herein by this reference.

9 15. TAS continued its effort to work with the law firm of Liebert Cassidy Whitmore up  
10 through August of 2019. However, on August 2, 2019, I learned that the attorney at that law firm  
11 assigned to assist TAS in responding to the PRA requests had left that law firm. (*See Exhibit F* to  
12 Decl. Shih, ¶ 15.)

13 16. In December of 2019, After TAS was served with the Petition and Complaint herein,  
14 TAS immediately contacted Young, Minney & Corr LLP. Shortly thereafter, with the guidance of  
15 legal counsel, TAS tasked their IT staff to search all emails, servers, laptops etc. for all key words  
16 included in Petitioner's six requests. This resulted in hundreds of thousands of records. The TAS and  
17 legal review of these documents for confidential/exempt information took months. (*See Decl. Shih, ¶*  
18 *16.*) But the end result was providing Young, Minney & Corr LLP with tens of thousands of pages of  
19 records for their review that ultimately resulted in the law firm producing over 55,000 pages of records  
20 to Petitioner on or about October 30, 2020.

21 17. With regard to the thirteen emails that Petitioner attached to his Opening Brief and  
22 argues should have been included as non-exempt records in TAS’s production, all of those emails  
23 consist of communications by and between TAS and the California Charter Schools Association  
24 (“CCSA”) regarding legislative, legal, and advocacy support to TAS (and other charter schools). I  
25 have personal knowledge, resulting from my job as CFO of TAS, that in order for TAS to function  
26 effectively fulfilling its role as a public school, TAS must make political decisions on whether or not to  
27 support or oppose certain legislative bills and proposed policies by the LAUSD Board of Directors.  
28 TAS relies on CCSA to provide guidance and advocacy regarding legislation and LAUSD policies.

1 The thirteen emails at issue are each intimately related to TAS's protected deliberative process. Thus,  
2 the thirteen emails attached as Exhibit A to Petitioner's MPAs are clearly critical to TAS's protected  
3 deliberations. In order to make political/critical decisions TAS must be able to confer with its  
4 statewide legislative and advocacy organization the CCSA and have those communications be  
5 protected by the deliberative process privilege.

6 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
7 true and correct. Executed on this 19<sup>th</sup> day of February, 2021, in Los Angeles, California.

8  
9 VINCENT SHIH  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT A

---

**From:** Johnathan Williams <jwilliams@accelerated.org>  
**Sent:** Friday, April 05, 2019 11:01 AM  
**To:** adrian@123mail.org  
**Cc:** Asha Marshall  
**Subject:** RE: ccala.org communications (1)

Hello,

Sorry for the delay, as I have been behind on emails.

Please see below communications responsive to your ccla.org. A second email thread will follow. Please let me know if you have any other questions. As for the two other former employees (Sved and Rice), employment terminated and no other records are available.

Thank you,

Johnathan

---

**From:** Marie Rumsey <MRumsey@ccala.org>  
**Sent:** Friday, October 14, 2016 4:35 PM  
**To:** Johnathan Williams <jwilliams@accelerated.org>  
**Subject:** RE: Katsuya!

Hi Johnathan, It was great to see you too!

And, I will definitely keep you in mind. Also, please let me know when we can help TAS.

Have a great weekend.

Marie

---

**From:** Johnathan Williams [<mailto:jwilliams@accelerated.org>]  
**Sent:** Wednesday, October 12, 2016 12:03 PM  
**To:** Marie Rumsey <[MRumsey@ccala.org](mailto:MRumsey@ccala.org)>  
**Subject:** Katsuya!

Hi Marie,  
So good to see you last week, and please keep us in mind when opportunities to be involved for kids or me arise.  
All the Best,  
Johnathan

Johnathan Williams, Co-Founder and CEO  
The Accelerated Schools  
116 Martin Luther King Blvd  
Los Angeles, CA 90011  
Office: (323) 235-6343 ext. 2607  
Fax: (323) 233-1167  
[jwilliams@accelerated.org](mailto:jwilliams@accelerated.org)



*Member, California State Board of Education (2004-2011)*  
*Commissioner, LA City Recreation and Parks Board (2006-2013)*  
*Vice President, Los Angeles Memorial Coliseum Commission (2009-2014)*

---

-----Original Message-----

From: adrian@123mail.org <adrian@123mail.org>  
Sent: Wednesday, April 3, 2019 11:24 AM  
To: Johnathan Williams <jwilliams@accelerated.org>  
Subject: Re: CPRA request (TAS.2019.03.17.a)

Good morning, Mr. Williams.

I am just checking on the status of this request, as a response is now overdue.

Thanks!

Adrian

On Sun, Mar 17, 2019, at 6:35 AM, adrian@123mail.org wrote:

> Good morning, Mr. Williams.

>

> I am seeking to inspect/obtain copies of all emails present in the  
> following three accounts from January 1, 2014 through March 15, 2019  
> that are to/from/cc/bcc any email address at ccala.org:

>

> jwilliams@accelerated.org  
> ksved@accelerated.org  
> jrice@accelerated.org

>

> Please note that I need to see copies of the emails in native format  
> as required by the CPRA at Section 6253.9(a)(1). Native formats for  
> emails are MBOX, EML, or MSG. I also need to see all attachments to  
> these emails in their native formats. Please note that when you  
> provide emails in native format their attachments are automatically  
> included in native format.

>

> If you find it necessary to redact any of the emails, please note that  
> both EML and MBOX are text formats. The files can be opened in any  
> text editor, e.g. Notepad, and segregable exempt material can be  
> redacted by replacing it with innocuous symbols, e.g.  
> ++++++. Any other method of redaction destroys the  
> essential character, i.e. the searchability and sortability, of the Ple  
> record and violates the CPRA at section 6253.9(a)(1). This method of  
> redaction is probably easier for you as well since it allows for  
> search and replace.

>

> Additionally, please note that a version of a given email in one  
> mailbox is a distinct record from a version in a different mailbox,  
> so all such extant versions must be produced in response to this request.

> Also please note that if an email has multiple TAS-associated  
> recipients, one may have deleted it while others may not. Thus in  
> order to perform an adequate search in response to this request it is  
> both necessary and sufficient to search each of the listed accounts  
> through which business is conducted.  
>  
> Finally, if you choose to withhold or redact any records responsive to  
> this request, please take measures as you would under a standard  
> litigation hold not to delete those records until we have settled any  
> disputes over claimed exemptions to our mutual satisfaction. If there  
> are any records which would be responsive but for the fact that you've  
> chosen not to consider them to be public records for any reason,  
> please inform me of their existence and retain those under the same terms.  
>  
> Thanks!  
>  
> Adrian  
>  
>  
>

---

NOTE: This message contains information which may be confidential and/or privileged. It is intended solely for the addressee. If you are not the intended recipient, you may not use, copy, distribute, or disclose any information contained in the message. If you have received this transmission in error, please notify the sender by reply e-mail and delete this message. Please note, all rights of concurrent review and comment are hereby reserved. Thank you.

## EXHIBIT B

---

**From:** Asha Marshall <amarshall@accelerated.org>  
**Sent:** Thursday, April 11, 2019 12:06 PM  
**To:** adrian@elitemail.org  
**Cc:** Johnathan Williams  
**Subject:** RE: CPRA request (TAS.2019.03.18.a)  
**Attachments:** CPRA Request\_3.18.19.pdf

Hello,

Please see attached CPRA Request Response Letter.

Thank you,

Asha Marshall  
Human Resources Manager

The Accelerated Schools  
4000 S. Main Street  
Tel: (323) 235-6343 ext 2603  
Fax (323) 234-1246  
www.accelerated.org

-----Original Message-----

From: adrian@elitemail.org <adrian@elitemail.org>  
Sent: Wednesday, April 10, 2019 10:11 AM  
To: Johnathan Williams <jwilliams@accelerated.org>  
Cc: Asha Marshall <amarshall@accelerated.org>  
Subject: Re: CPRA request (TAS.2019.03.18.a)

Good morning, Mr. Williams.

I am just checking on the status of this. The law requires a response within 10 days of receipt.

thanks!

Adrian

On Wed, Apr 3, 2019, at 11:24 AM, adrian@123mail.org wrote:

> Good morning, Mr. Williams,

>

> I am just checking on the status of this request, a response to which  
> is overdue.

>

> Thanks,

>

> Adrian

>

> On Mon, Mar 18, 2019, at 3:38 PM, adrian@123mail.org wrote:

> > Good afternoon, Mr. Williams.  
> >  
> > I am seeking to inspect/obtain copies of all ISTAR reports in the  
> > possession of TAS.  
> >  
> > Thanks,  
> >  
> > Adrian

---

NOTE: This message contains information which may be confidential and/or privileged. It is intended solely for the addressee. If you are not the intended recipient, you may not use, copy, distribute, or disclose any information contained in the message. If you have received this transmission in error, please notify the sender by reply e-mail and delete this message. Please note, all rights of concurrent review and comment are hereby reserved. Thank you.



# The Accelerated Schools

Accelerated Charter Elementary School (ACES)

The Accelerated School (TAS)

Wallis Annenberg High School (WAHS)

VIA EMAIL ONLY

[adrian@123mail.org](mailto:adrian@123mail.org)

April 10, 2019

**Re: TAS Response to CPRA Request Dated March 18, 2019/April 10, 2019**

Dear Requestor:

This letter serves as The Accelerated School's ("TAS") response to your California Public Records Act ("CPRA") request dated March 18, 2019. Please note, TAS was unaware that your initial March 18 request was made pursuant to the California Public Records Act. TAS only learned that you made the March 18 request pursuant to the California Public Records Act on April 10, 2019, after you sent a follow-up email noting that your request was being made pursuant to the California Public Records Act.

Under the CPRA, TAS is required to make public records available for inspection or to permit you to obtain copies, unless the record is subject to an exemption. Public records are "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency." (Gov. Code, § 6252, subd. (e).) Except for public records that are exempt from disclosure, TAS is required to disclose records when it receives a request for an identifiable record. TAS is not required to create documents that do not otherwise exist. (Gov. Code, § 6253, subd. (b).)

TAS will provide responsive records within its possession, custody and control, which are subject to disclosure under the CPRA. TAS will not provide records that are protected by state or federal law including, but not limited to, information protected under the Family Educational Rights and Privacy Act, the Confidentiality of Medical Information Act, the attorney-client privilege or work product protection doctrine, the official information privilege, or the deliberative process privilege. (See, Gov. Code § 6254, subd. (k).) TAS also will not provide any records related to pending litigation, personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy. (See, Gov. Code, § 6254, subd. (b), (c).) Additionally, TAS will not provide any records where the public interest in withholding the record clearly outweighs the public interest served by disclosure of the record. (Gov. Code, § 6254, subd. (a).)

TAS responds to your specific requests as follows:

**Request Number 1**

I am seeking to inspect/obtain copies of all ISTAR reports in the possession of TAS.

**Response to Request Number 1**

TAS will provide you with non-exempt responsive records within its possession, custody and control, which are subject to disclosure under the CPRA.

---

Accelerated Charter Elementary School • 3914 E. Main Street • Los Angeles, CA 90011 • Office (323) 846-6694 • Fax (323) 846-0686  
The Accelerated School • 4000 S. Main Street • Los Angeles, CA 90037 • Office (323) 235-6343 • Fax (323) 235-6346  
TAS 2 • 119 E. 37<sup>th</sup> Street (K-2<sup>nd</sup> grade) • Los Angeles, CA 90011 • Office (323) 985-6369 • Fax (323) 846-0686  
Wallis Annenberg High School • 4000 S. Main Street • Los Angeles, CA 90037 • Office (323) 235-6343 • Fax (323) 235-6346

[www.accelerated.org](http://www.accelerated.org)



# The Accelerated Schools

Accelerated Charter Elementary School (ACES)

The Accelerated School (TAS)

Wallis Annenberg High School (WAHS)

Please be advised that pursuant to Gov. Code sections 6254 and 6255, certain information that is exempt from disclosure will not be disclosed or will be redacted from the records. TAS reserves the right to supplement this response upon accessing and reviewing responsive records and determining the applicable exemption.

Given the breadth of the requests, the documents you seek may be voluminous and may require redaction. Accordingly, at this time, TAS is unable to determine approximately when the responsive records will be available. But we will be in touch when we have gathered the records. At that time, we will be able to provide an estimate of the cost to provide you copies.

I, Asha Marshall, Human Resources Manager of The Accelerated Schools, am responsible for the responses to this request.

Sincerely,

Asha Marshall  
Human Resources Manager  
The Accelerated Schools

## EXHIBIT C

---

**From:** adrian@elitemail.org  
**Sent:** Thursday, April 11, 2019 2:48 PM  
**To:** Asha Marshall  
**Cc:** Johnathan Williams  
**Subject:** Re: CPRA request (TAS.2019.03.18.a)

Good day Ms. Williams!

And thanks, you know, for finally realizing that my CPRA request was a CPRA request!

And thanks for offering to provide records "within the possession, custody, AND control" of TAS. Please consider, however, that the CPRA explicitly requires TAS to provide records within the possession, custody, OR control of TAS.

Thanks again for your ultimate realization!

Adrian

On Thu, Apr 11, 2019, at 12:06 PM, Asha Marshall wrote:

> Hello,  
>  
> Please see attached CPRA Request Response Letter.  
>  
> Thank you,  
>  
> Asha Marshall  
> Human Resources Manager  
>  
> The Accelerated Schools  
> 4000 S. Main Street  
> Tel: (323) 235-6343 ext 2603  
> Fax (323) 234-1246  
> <https://nam02.safelinks.protection.outlook.com/?url=www.accelerated.org&data=01%7C01%7Camarshall%40accelerated.org%7C750a3043b18242baa95808d6bec755b6%7Ce2f697b976974041994605fe2d93acc4%7C1&sdata=6qSJG1hkOw5v7Lr8aewwu3oYNQ%2FJM0KaLXMryupbu%2Fg%3D&reserved=0>  
>  
> -----Original Message-----  
> From: adrian@elitemail.org <adrian@elitemail.org>  
> Sent: Wednesday, April 10, 2019 10:11 AM  
> To: Johnathan Williams <jwilliams@accelerated.org>  
> Cc: Asha Marshall <amarshall@accelerated.org>  
> Subject: Re: CPRA request (TAS.2019.03.18.a)  
>  
> Good morning, Mr. Williams.  
>  
> I am just checking on the status of this. The law requires a response  
> within 10 days of receipt.  
>

> thanks!  
>  
> Adrian  
>  
> On Wed, Apr 3, 2019, at 11:24 AM, adrian@123mail.org wrote:  
>> Good morning, Mr. Williams,  
>>  
>> I am just checking on the status of this request, a response to  
>> which is overdue.  
>>  
>> Thanks,  
>>  
>> Adrian  
>>  
>> On Mon, Mar 18, 2019, at 3:38 PM, adrian@123mail.org wrote:  
>>> Good afternoon, Mr. Williams.  
>>>  
>>> I am seeking to inspect/obtain copies of all ISTAR reports in the  
>>> possession of TAS.  
>>>  
>>> Thanks,  
>>>  
>>> Adrian  
> \_\_\_\_\_  
>  
> NOTE: This message contains information which may be confidential  
> and/or privileged. It is intended solely for the addressee. If you are  
> not the intended recipient, you may not use, copy, distribute, or  
> disclose any information contained in the message. If you have  
> received this transmission in error, please notify the sender by reply  
> e-mail and delete this message. Please note, all rights of concurrent  
> review and comment are hereby reserved. Thank you.  
>  
> Attachments:  
> \* CPRA Request\_3.18.19.pdf  
\_\_\_\_\_

NOTE: This message contains information which may be confidential and/or privileged. It is intended solely for the addressee. If you are not the intended recipient, you may not use, copy, distribute, or disclose any information contained in the message. If you have received this transmission in error, please notify the sender by reply e-mail and delete this message. Please note, all rights of concurrent review and comment are hereby reserved. Thank you.

## EXHIBIT D

---

**From:** Johnathan Williams <jwilliams@accelerated.org>  
**Sent:** Thursday, May 30, 2019 9:24 AM  
**To:** Asha Marshall; adrian@123mail.org  
**Subject:** Re: CPRA request (TAS.2019.04.06.a)

Good morning,

I have not had access to campus, and need to in order to get old email.

I also was informed that Ms. Marshall is no

Get [Outlook for Android](#)

---

**From:** adrian@123mail.org <adrian@123mail.org>  
**Sent:** Thursday, May 30, 2019 3:30:10 AM  
**To:** Johnathan Williams; Asha Marshall  
**Subject:** Re: CPRA request (TAS.2019.04.06.a)

Good morning, TAS.

I am writing to inquire about the status of this matter.

Thanks,

Adrian

On Wed, May 1, 2019, at 10:33 AM, adrian@123mail.org wrote:

> Good morning, TAS.

>

> I'm just wondering about the status of this matter.

>

> Thanks,

>

> Adrian

>

> On Sat, Apr 6, 2019, at 7:51 AM, adrian@123mail.org wrote:

>> Good morning, Mr. Williams.

>>

>> I am seeking to inspect/obtain copies of all emails related to TAS

>> business possessed by J. Williams in any account from January 1, 2018

>> through April 6, 2019 that are to/from/cc/bcc Kevin Sved at any email

>> address.

>>

>> Please note that I need to see copies of the emails in native format as

>> required by the CPRA at Section 6253.9(a)(1). Native formats for

>> emails are MBOX, EML, or MSG. I also need to see all attachments to

>> these emails in their native formats. Please note that when you

>> provide emails in native format their attachments are automatically

>> included in native format.  
>>  
>> If you find it necessary to redact any of the emails, please note that  
>> both EML and MBOX are text formats. The files can be opened in any  
>> text editor, e.g. Notepad, and segregable exempt material can be  
>> redacted by replacing it with innocuous symbols, e.g.  
>> ++++++. Any other method of redaction destroys the  
>> essential character, i.e. the searchability and sortability, of the  
>> record and violates the CPRA at section 6253.9(a)(1). This method of  
>> redaction is probably easier for you as well since it allows for search  
>> and replace.  
>>  
>> Finally, if you choose to withhold or redact any records responsive to  
>> this request, please take measures as you would under a standard  
>> litigation hold not to delete those records until we have settled any  
>> disputes over claimed exemptions to our mutual satisfaction. If there  
>> are any records which would be responsive but for the fact that you've  
>> chosen not to consider them to be public records for any reason, please  
>> inform me of their existence and retain those under the same terms.  
>>  
>> Thanks!  
>>  
>> Adrian

---

NOTE: This message contains information which may be confidential and/or privileged. It is intended solely for the addressee. If you are not the intended recipient, you may not use, copy, distribute, or disclose any information contained in the message. If you have received this transmission in error, please notify the sender by reply e-mail and delete this message. Please note, all rights of concurrent review and comment are hereby reserved. Thank you.

---

**From:** Johnathan Williams <jwilliams@accelerated.org>  
**Sent:** Thursday, May 30, 2019 9:28 AM  
**To:** adrian@123mail.org  
**Subject:** Re: CPRA request (TAS.2019.04.06.a)

Ms. Asha Marshall is no longer an employee of The Accelerated Schools.

If, and when I get access, I will respond.

Thank you.

Get [Outlook for Android](#)

---

**From:** Human Resources  
**Sent:** Thursday, May 30, 2019 9:24:25 AM  
**To:** Johnathan Williams  
**Subject:** Automatic reply: CPRA request (TAS.2019.04.06.a)

We have received your message and will respond within 48 to 72 business hours.

Thank you,

Human Resources Department

---

NOTE: This message contains information which may be confidential and/or privileged. It is intended solely for the addressee. If you are not the intended recipient, you may not use, copy, distribute, or disclose any information contained in the message. If you have received this transmission in error, please notify the sender by reply e-mail and delete this message. Please note, all rights of concurrent review and comment are hereby reserved. Thank you.

# EXHIBIT E

---

**From:** adrian@123mail.org  
**Sent:** Thursday, May 30, 2019 9:50 AM  
**To:** Johnathan Williams  
**Subject:** Re: CPRA request (TAS.2019.04.06.a)

Great, what's the problem then? The law imposes a duty on your organization which is not mitigated by the fact that you all are too disorganized to comply with it. This is actually the law in California per Community Youth Athletic Center v. City of National City:

"It would not be a practical or reasonable interpretation of Government Code section 6259, subdivision (d), to say that a public agency is protected from liability for an attorney fees award because it cannot or will not produce the documents due to its internal logistical problems or general neglect of duties."

Please figure out a way to get these emails soon.

Thanks!

Adrian

On Thu, May 30, 2019, at 9:47 AM, Johnathan Williams wrote:

You are correct. I am responding from a mobile device, and need access to my desktop for archived emails.

Get [Outlook for Android](#)

---

**From:** adrian@123mail.org <adrian@123mail.org>  
**Sent:** Thursday, May 30, 2019 9:38:05 AM  
**To:** Johnathan Williams  
**Subject:** Re: CPRA request (TAS.2019.04.06.a)

Mr. Williams,

This is not how the law works. Your organization is subject to the public records act and has control over its records. You can't just stall by saying you don't have access. Someone must have access. Please find out who it is and get them to produce these records.

Also, it's really dubious that you don't have access to your emails. You're sending emails through your server right now, which requires access. Why don't you use Outlook on a computer wherever you are, or install Thunderbird, and use one of those to download your emails?

Thanks,

Adrian

On Thu, May 30, 2019, at 9:27 AM, Johnathan Williams wrote:

Ms. Asha Marshall is no longer an employee of The Accelerated Schools.

If, and when I get access, I will respond.

Thank you.

Get [Outlook for Android](#)

---

**From:** Human Resources

**Sent:** Thursday, May 30, 2019 9:24:25 AM

**To:** Johnathan Williams

**Subject:** Automatic reply: CPRA request (TAS.2019.04.06.a)

We have received your message and will respond within 48 to 72 business hours.

Thank you,

Human Resources Department

---

NOTE: This message contains information which may be confidential and/or privileged. It is intended solely for the addressee. If you are not the intended recipient, you may not use, copy, distribute, or disclose any information contained in the message. If you have received this transmission in error, please notify the sender by reply e-mail and delete this message. Please note, all rights of concurrent review and comment are hereby reserved. Thank you.

## EXHIBIT F

**From:** Oliver Yee <oyee@lcwlegal.com>  
**Sent:** Friday, August 2, 2019 2:21 PM  
**To:** Vincent Shih  
**Subject:** RE: CPRA followup

Hi Vincent,

No problem. Yes. I'm still available at 3:00 pm. Please feel free to call me on my office line 310-981-2044.

---

**T. Oliver Yee | Partner**

**LCW** LILBERT CASSIDY WHITMORE

6033 W. Century Boulevard, 5th Floor  
Los Angeles, CA 90045

phone: 310.981.2044 | fax: 310.337.0837

[oyee@lcwlegal.com](mailto:oyee@lcwlegal.com) | [vCard](#) | [bio](#) | [website](#)



The preceding e-mail message (including any attachments) contains information that may be confidential, protected by the attorney-client privilege or other applicable privileges, protected by the right of privacy, or constitute other non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

---

**From:** Vincent Shih <vshih@accelerated.org>

**Sent:** Friday, August 2, 2019 2:05 PM

**To:** Oliver Yee <oyee@lcwlegal.com>

**Subject:** RE: CPRA followup

Oliver,

Thanks for being available. Are you still free at 3 PM?

---

**From:** Oliver Yee <oyee@lcwlegal.com>

**Sent:** Friday, August 2, 2019 8:52 AM

**To:** Vincent Shih <vshih@accelerated.org>

**Subject:** RE: CPRA followup

Hi Vincent,

Ryan is no longer with our firm. He just left the firm to take on the General Counsel position at a community college. I understand the urgency surrounding the CPRA so we can immediately assist as needed. I'm happy to follow up with you.

Are you available this afternoon at 3:00 pm for a call?

Thanks,

Oliver

---

**T. Oliver Yee | Partner**

**LCW** LILBERT CASSIDY WHITMORE

6033 W. Century Boulevard, 5th Floor  
Los Angeles, CA 90045

phone: 310.981.2044 | fax: 310.337.0837

[oyee@lcwlegal.com](mailto:oyee@lcwlegal.com) | [vCard](#) | [bio](#) | [website](#)



The preceding e-mail message (including any attachments) contains information that may be confidential, protected by the attorney-client privilege or other applicable privileges, protected by the right of privacy, or constitute other non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an

intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.  
IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

---

**From:** Vincent Shih [<mailto:vshih@accelerated.org>]

**Sent:** Friday, August 2, 2019 8:25 AM

**To:** Oliver Yee <[oyee@lcwlegal.com](mailto:oyee@lcwlegal.com)>

**Subject:** FW: CPRA followup

Oliver,

I am having trouble connecting with Ryan. Is he available? Let me know.

Thanks.

---

**From:** Vincent Shih

**Sent:** Friday, August 2, 2019 8:24 AM

**To:** 'Ryan L. Church' <[rchurch@lcwlegal.com](mailto:rchurch@lcwlegal.com)>

**Subject:** RE: CPRA followup

Ryan,

Following up. Please let me know when you can discuss.

Thanks.

---

**From:** Vincent Shih

**Sent:** Wednesday, July 31, 2019 6:56 AM

**To:** 'Ryan L. Church' <[rchurch@lcwlegal.com](mailto:rchurch@lcwlegal.com)>

**Subject:** RE: CPRA followup

Ryan,

Following up. Please let me know when you are available.

Thanks.

---

**From:** Vincent Shih

**Sent:** Monday, July 29, 2019 12:41 PM

**To:** 'Ryan L. Church' <[rchurch@lcwlegal.com](mailto:rchurch@lcwlegal.com)>

**Subject:** CPRA followup

Ryan,

Let me know when you have time on Thursday. I want to comply with our CPRAs.

Thanks.

Vincent Shih

**Chief Financial Officer**

The Accelerated Schools

Phone: (323) 235-6343

---

NOTE: This message contains information which may be confidential and/or privileged. It is intended solely for the addressee. If you are not the intended recipient, you may not use, copy, distribute, or disclose any information contained in the message. If you have received this transmission in error, please notify the sender by reply e-mail and delete this message. Please note, all rights of concurrent review and comment are hereby reserved. Thank you.

This email message has been delivered safely and archived online by [Mimecast](#).

This email message has been delivered safely and archived online by [Mimecast](#).